



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/409,128 09/30/99 CLAPPER

E INTL-0274-US

EXAMINER

WM02/1122

TIMOTHY N TROP
TROP PRUNER HU & MILES PC
8554 KATY FREEWAY
STE 100
HOUSTON TX 77024

BULK

ART UNIT

PAPER NUMBER

2611

DATE MAILED:

11/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/409,128

Applicant(s)

Clapper

Examiner
"Krista" Kleu-Oanh Bul

Group Art Unit
.2611



☒ Responsive to communication(s) filed on 9/25/2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-30 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-30 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2711

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 3-7, 11, 13-17, 20-21, 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Rangan et al. (U.S. Patent No. 6,006,265).

Regarding claims 1 and 11, Rangan (or "Rangan" hereinafter) disclose a method of linking information to video information comprising linking video information with other information (Figs. 6-8); and accessing other information in response to a user selection based on the location of the video information on a frame and frame identifier, i.e., using a pointer to link to the frame numbers or frame indexes (or location of that frame) of the scene change point (col. 30/lines 54-60); and accessing said other information in response to a user selection of a frame selection, i.e., user clicks on a "hotspot" and system conveys the user to an object 1 corresponding to the user's request of selecting that frame selection (see col. 30/lines 29-43).

Art Unit: 2711

Regarding claims 3, 13 and 23, in view of claim 1 above, Rangan does disclose of including “developing a frame identifier using a time code”, i.e, using keyframe as the same technique for identifying different frames or flagging frames automatically (col. 23/lines 15-22).

As for claims 4 and 14, in further view of claim 1 above, Rangan teaches that Rangan’s system includes linking to other information without encoding a hyperlink into the video information (Figs. 7 & 8 and col. 18/lines 7-33 for “click-throughs” technique without encoding a hyperlink into the video information).

As for claims 5, 15 and 25, in view of claim 1 above, the step of “including linking to other information on the same medium that stores said video information” is taught by Rangan as Rangan reveals the step of storing information data from providers/producers into a same database within the network system (Rangan, Figs. 1 & 2/VOW Server 1 with its database).

Regarding claims 6, 16 and 24, in further view of claim 1 above, Rangan also includes linking video information on one processor-based system to other information on a separate processor-based system, i.e., a user can link to other information of a news or programs using thumbnails (see Fig. 1/VOW Servers 1 & 9 for identifying of separate processor-based systems; Fig. 4/item 74 and col. 26/lines 2-60 for linking to other information using thumbnails on a separate processor-based system).

Regarding claims 7, 17 and 21, Rangan does teach the steps of “wherein accessing said other information includes using a pointing device to select a location on a frame” (col. 7/lines 40-50).

Art Unit: 2711

As for claim 20, Rangan further teaches a processor-based system comprising a processor, i.e., a computer system of the client SUV (col. 23/lines 7-56); and a storage coupled to said processor, i.e., a server includes a database for storing program information (Fig. 2), storing software to link to additional information based on the user's selection, i.e., executable software applications (Fig. 2 and col. 5/lines 31-35) and even software applications for users to link to additional information (col. 5/lines 42-52).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 8, 12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al. (U.S. Patent No. 6,006,265).

Regarding claims 2, 12 and 22, Rangan inherently teaches to include the step of defining a display grid system and specifying at least one location in said grid system using coordinates, i.e., a grid system of representing thumbnails according to a selected location on that grid (Fig. 4 and

Art Unit: 2711

col. 26/line 65-col. 27/line 30). Although Rangan does not clearly mention using “coordinates” in using that grid system. However, it is obvious to realize that since Fig. 4 shows thumbnails in section 74 with a plurality of icons, Rangan inherently teaches to include using “coordinates” in that display screen for identifying different icons associating with distinct frame locations by using the pointer locating technique as mentioned in claim 1 above. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to clearly identify using coordinates in the display grid system for the purpose of having links between the displaying icons and destination sites as suggested by Rangan.

Regarding claim 8, Rangan does not include “wherein using a pointing device includes using a remote control unit”; however, the Examiner takes Official Notice that it is too old and well-known in the art that one can utilize a remote control unit as a pointing device for selecting or controlling objects on the displaying screen. Therefore, it would have been obvious to one of ordinary skill in the art to modify Rangan’s pointing device with a remote control unit for interfacing with the display screen within a remote distance as desired.

5. Claims 9-10, 18-19, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al (U.S. Patent No. 6,006,265) in view of Youden et al. (U.S. Patent No. 5,815,146).

Regarding claims 9-10 and 18-19, Rangan does not specifically reveal the steps of “receiving a video stream, and pausing said video stream when accessing said other information” and “automatically resuming the playback of said video stream when the other information is no

Art Unit: 2711

longer being accessed”, but such a technique of pausing a video program, i.e., halting it or put it in an inactive status, when the user access the other information and automatically resuming the playback of that video program when the other information is no longer accessed is taught by Youden (see Youden, Pause command as of VCR services in col. 14/lines 1-12 and Figs. 11 & 12a-d). Therefore, it would have been obvious to one of ordinary skill in the art to modify Rangan’s technique with Youden’s technique of controlling the execution of a video program by automatically suspending a first program when a second program being accessed and resuming back to the first program if the second program is no longer being accessed in order to offer an enhanced system that allow viewers not to miss any portion of a whole broadcasting program while accessing other information during the playback of that program as desired.

As for claims 26-27 and 30, in view of claims 9 and 10 above, the combination of Rangan and Youden teaches a method of recording incoming video information comprising storing said video information as received (see Rangan, col. 23/lines 30-35), for playback in the sequence the information was received; allowing playback of any portion of stored video information while continuing to store said incoming video information; and automatically pausing the playback of said video information when the user changes the software focus, while continuing to record the incoming video stream (see Examiner’s discussion above).

As for claim 28, in view of claim 1 above, Rangan teaches the system including linking to different video information based on the user’s selection of a location and a frame on a display of video information, i.e., using a pointer to link to the frame numbers or frame indexes (or location

Art Unit: 2711

of that frame) of the scene change point (col. 30/lines 54-60); and accessing said other information in response to a user selection of a frame selection, i.e., user clicks on a “hotspot” and system conveys the user to an object 1 corresponding to the user’s request of selecting that frame selection (see col. 30/lines 29-43).

As for claim 29, in further view of claim 1 above, Rangan also teaches of including automatically linking to said different video information based on the user's selection of a particular frame location using a pointing device (Rangan, col. 7/lines 40-50).

Response to Arguments

4. Applicant's arguments filed on 09/25/2000 have been fully considered but they are not persuasive.

Applicant argues, page 1 and page 2, that Rangan does not show linking video information based on the location of the video information on a “frame” and a “frame identifier”.

Applicant does concede that Rangan uses a hyperlink to link the video information via a “hot spot” within the video itself. Claim 1 merely calls for “linking” based on a “frame” and a “frame identifier”. Clearly, the hot spot in Rangan (figure 4 / item 73) is contained within the video and the video picture consists of frames. Therefore, the embedded link is based on the frame and frame number since there are inherently the structure in which the video resides. Since

Art Unit: 2711

the hot spot is in the video and the video is made up of sequential frames, the link is based on the frame and identifier as broadly called for in claim 1.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-6306 or (703) 308-6296, (for formal communications intended for entry)

Art Unit: 2711

Or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT").


Hand-delivered responses should be brought to Crystal Park III, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Thursday (1st week of a bi-week) and Monday-Friday (2nd week of a bi-week) from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Krista Bui
Art Unit 2611
Nov. 8, 2000


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

ATTACHMENT TO AND MODIFICATION OF
NOTICE OF ALLOWABILITY (PTO-37)

(November, 2000)

NO EXTENSIONS OF TIME ARE PERMITTED TO FILE CORRECTED OR FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION, notwithstanding any indication to the contrary in the attached Notice of Allowability (PTO-37).

If the following language appears on the attached Notice of Allowability, the portion lined through below is of no force and effect and is to be ignored¹:

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to comply will result in ABANDONMENT of this application. ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Similar language appearing in any attachments to the Notice of Allowability, such as in an Examiner's Amendment/Comment or in a Notice of Draftperson's Patent Drawing Review, PTO-948, is also to be ignored.

¹ The language which is crossed out is contrary to amended 37 CFR 1.85(c) and 1.136. See "Changes to Implement the Patent Business Goals", 65 Fed. Reg. 54603, 54629, 54641, 54670, 54674 (September 8, 2000), 1238 Off. Gaz. Pat. Office 77, 99, 110, 135, 139 (September 19, 2000).